



1 It is believed that there may be radio transmissions regarding each of the above  
 2 detentions of defendant Gonzalez by law enforcement officers. Those radio transmissions  
 3 (and related printouts) are in the custody of the Communications Department of the Contra  
 4 Costa County Sheriff's Department. The Director of that Department has informed Scott A.  
 5 Sugarman, attorney for defendant Gonzalez, that she currently has such recordings but that  
 6 they will be destroyed absent court order.  
 7

8 To preserve such evidence for possible use in this pending matter, the parties  
 9  
 10 STIPULATE that this Court should issue an Order directing the Communications  
 11 Department of the Contra Costa County Sheriff's Department to preserve, for one year or  
 12 until further order of the court, all recordings (regardless of medium) and related printouts of  
 13 radio communications or electronic communications between officers or between officer and  
 14 dispatch, regardless of the channel on which such communications were made, regarding or  
 15 related to the following:  
 16  
 17

18 1) on March 1, 2005, at approximately 3:01 p.m., a car stop by Contra Costa County  
 19 Sheriff's Deputy Shrader of Filiberto Gonzalez Gomez near Highway 4 and Highway 680,  
 20 including subsequent meeting between Deputy Shrader and officers associated with  
 WESTNET approximately an hour later; and

21 2) on March 15, 2005, at approximately 8:54 p.m., a car stop by Contra Costa County  
 22 Sheriff's Officer Roberts of Filiberto Gonzalez, near Highway 4 and Willow Pass Road.

23 It is further STIPULATED that a copy of all such recordings and related printouts shall be  
 24 provided to counsel for all parties.  
 25

26 So Stipulated.

27 DATED:

\_\_\_\_\_/s\_\_\_\_\_  
 Scott A. Sugarman  
 Attorney for Filiberto Gonzalez

1  
2 DATED:

\_\_\_\_\_/s\_\_\_\_\_  
Shaun Halbert  
Attorney for Martiniano Arcigaleon

3  
4  
5 DATED:

\_\_\_\_\_/s\_\_\_\_\_  
Brian Stretch  
Assistant United States Attorney

6  
7  
8 **ORDER**

9  
10 GOOD CAUSE APPEARING, the Communications Department of the Contra Costa  
11 County Sheriff's Department is hereby ORDERED to preserve, for one year or until further  
12 order of the court, all recordings (regardless of medium) and related printouts of radio  
13 communications or electronic communications between officers or between officer and  
14 dispatch, regardless of the channel on which such communications were made, regarding or  
15 related to the following:  
16

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WESTNET approximately an hour later; and

21 2) on March 15, 2005, at approximately 8:54 p.m., a car stop by Contra Costa County  
22 Sheriff's Officer Roberts of Filiberto Gonzalez, near Highway 4 and Willow Pass Road.

23 It is further ORDERED that Communications Department of the Contra Costa County  
24 Sheriff's Department shall provide a copy of all such recordings and related printouts to  
25 counsel for all parties.  
26

27 DATED: 8/29/05

s/ Saundra Brown Armstrong  
UNITED STATE DISTRICT JUDGE